

Planning Commission Minutes
April 16, 1996

Present: Chairman Elaine McKay, Vice Chairman Dick Dresher, Lois Williams, Don Milligan, Ken Cutler, Dean Jolley, Mike Holmes: Sam Fowler, City Council Representative; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary.

Absent: Mark Green.

Elaine McKay welcomed all those who were present. Ken Cutler made a motion to approve the minutes for April 2, 1996 as written. Dick Dresher seconded the motion and voting was unanimous.

Subdivisions

1. Consider approval of converting 3 duplexes at 51-57 N. 100 W., 121-129 W. 100 N., and 133-137 W. 100 N. to condominiums, Brian Knowlton, owner.

Brian Knowlton, owner, was present. Blaine Gehring explained that Mr. Knowlton has completed three duplexes near the corner of 100 North and 100 West. Mr. Knowlton would like to have these units recorded as condominiums. Mr. Knowlton has completed the required site improvements, except for some additional landscaping. The only requirement staff has now is for the site plan to be recorded along with the covenants for a Homeowners Association and recording fees paid.

Staff recommends the Planning Commission send a favorable recommendation to the City Council for approval of this conversion with the condition that the recording fees be paid, a title report and copy of the Homeowners Association Covenants be submitted to the City Engineer and City Attorney for review prior to the recording of the plat.

Dick Dresher asked why these units are being converted to condominiums? Mr. Knowlton explained that he is financing other units besides this one and the bank prefers to have these units as condominiums to secure his loan. Mr. Knowlton also prefers to have separately owned units.

Mike Holmes asked if these units are going to be a PUD or condo units? It was explained that these units will be condominiums. The minimum land area required for development of a PUD is six acres. Condominiums are separately owned and they don't require the six acres. The recording process is the same.

Dean Jolley made a motion to approve the conversion of three duplexes at 51-57 N. 100 W., 121-129 W. 100 N., and 133-137 W. 100 N. to condominiums subject to the recommendation of

Staff. With a possible insertion that the title report fees be paid and Homeowners Association Covenants be submitted to the Staff. Dick Dresher seconded the motion and voting was unanimous.

2. Consider preliminary approval for Bridlewood South Subdivision.

Steve Randle and Merrill Bunker, developers, were present. Jack Balling explained that this proposed subdivision is on the south boundary of Bountiful Boulevard. The subdivision is in the R-1-12(F) residential foothill zone and requires 16,000 minimum Sq. Ft. lot with a minimum of 100 feet of frontage based on an average slope of 16%. The lots meet the minimum area and the minimum width.

The terrain is rolling foothills and there are many areas that exceed 30% slope as a result of the ravines that have washed out from drainage through these slopes. In order to approve the subdivision, four variances are being requested because of the topographic conditions. Some of these variances have been granted in the Eagle Ridge Subdivision and the Fairway Oaks Subdivision when it was in the best interest of the City. With this subdivision it would be in the best interest of the City to extend Monarch Drive to Bountiful Boulevard to provide for drainage along the natural ravine in a storm drain and to provide for traffic circulation through this area.

Based upon our review of this proposed plan, the Staff would recommend preliminary approval subject to the following conditions:

1. A variance be granted to allow the maximum road grade to be extended from 12% to 13%. (This is still below the 15% variance limit for road grades).
2. A variance to allow the roads to extend across land with slopes exceeding 30% grade. (The 30% slopes are shown in the shaded areas).
3. A variance to allow cuts to exceed the 10 foot limit for 550 feet of road excavation. (These cuts are shown in the heavy lines along the street frontage).
4. A variance to allow the contractors to re-grade the property to finish grade contours shown on the plan so as to make all lots with buildable pads. (These are four circled lots that do not have building pads without regrading).
5. Require that Bountiful Boulevard be completed across the entire property with the first phase development and allow the developers to provide a one foot holding strip along the south eight lots as shown in Phase 4 development. These lots are being contested in court over the ownership and if these developers are required to install the improvements on Bountiful Boulevard, they want to recover their road improvement expenses if they lose the property in court.

6. Require that these developers pay the water connection cost in the subdivision fees and reservoir expenses before any lots are recorded after final approval.
7. Compliance with all other requirements of the City Ordinances in final approval of the lots.
8. Provide storm water detention as required by ordinance or pay the required detention fees.
9. Pay all other required fees and post the required bonds before final plats are recorded.
10. Do not grant a final approval until the provisions for a culinary water reservoir have been met to serve this area as outlined in the preliminary approval of Bountiful Ridge Subdivision.

Mr. Randle and Mr. Bunker have been working with the Bountiful Ridge Subdivision people to arrange an easement for the storm drain down Monarch Drive so Bountiful Boulevard can be finished. The easement would be pending the dedication of the street. The developers would like the approval on a 6-lot phase immediately so they can sell lots and help get Bountiful Boulevard completed. Phase one has been completed and phase three will start next year. The object of the developers is to have one of the nicest subdivisions in Bountiful. They have cleaned out and upgraded the area and plan on doing more.

The developers have some concerns about being required to install the improvements on Bountiful Boulevard. The ownership of these lots is being contested in court. The developers want to recover their road improvement expenses if they lose the property.

The contractors will be required to re-grade the property to finish grade contours so as to make buildable lots. The lots that have cuts exceeding the 10-foot limit will be required to be reseeded. After reseeding these lots they will fit in with the surroundings.

The City does not want to be involved with the recovery of the expenses with the improvements of Bountiful Boulevard. The City will allow for some type of agreement with both subdivisions for the expenses involved.

Ken Cutler made a motion to grant preliminary subdivision approval of Bridlewood South Subdivision at 4500 South Bountiful Boulevard subject to recommendations 1-10 of Staff. With the modification on item #5 stating that the City require Bountiful Boulevard to be completed across the entire property and the developers be allowed to work out a legal way to recover their expenses of road improvements if they lose the property. Sam Fowler seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approval for a new American Legion Hall at 52 W. 200 S., Duncan Electric, applicant.

Lee Duncan and Ken Duncan, owners of Duncan Electric, were present. Walter Willey, Commander of the American Legion, was also present. Jack Balling explained that Duncan Electric is proposing to build a new building for the American Legion and acquire the existing building for expansion of their business. The Staff has reviewed the plans and they meet all the City ordinances. The Staff recommends final approval subject to the following conditions:

1. Provide a vicinity map.
2. Stamp of landscape architect.
3. Payment of storm detention fee of \$2,100.00/acre.
Total fee= $(.2614)(2,100)=\$549.00$
4. Payment of sewer connection=\$600.00
5. Payment of 1-inch water meter.
6. Provide 7ft. Wide easement along frontage of 200 South street and easements as required by the Power Department.
7. Approval of plans by building inspector.
8. Payment of fees and bonds as required by City Ordinance.

Walter Willey pointed out that there will be no exchange of money for the property or building. Mr. Willey has no concerns with the property or the building. The owners of Duncan Electric have been good to work with.

Mike Holmes made a motion for preliminary and final site plan approval for a new American Legion Hall at 52 W. 200 S. subject to recommendations of Staff. Lois Williams seconded the motion and voting was unanimous.

2. Consider preliminary and final site plan approval for a 4-plex at 270 E. Center, Heber Kapp, applicant.

Heber Kapp, applicant, was present. Blaine Gehring explained that Mr. Kapp is in the process of building a duplex and would like to convert it to a 4-plex. Mr. Kapp has provided a double garage for each unit which will be divided by a wall to provide a single garage for the four

proposed units. A parking space in front of each garage will provide a second parking stall. There will be an additional ½ space for each unit or two additional spaces on the west side and one alone 300 East. The units will be divided with two units up and two down. Mr. Kapp has provided a landscaping plan which meets the ordinance for multiple-family units. Multiple family areas do require a solid barrier fence around the area that borders single family residential. Along the South and West sides of the property there will need to be a solid fence.

The building is almost complete so this minor adjustment to the site will not change the nature of what is already built. Staff recommends preliminary and final approval of the site plan for the 4-plex with the following conditions:

1. All additional building permit fees be paid for the two additional units including hook-up fees for the utilities.
2. All on-site improvements and landscaping be completed before occupancy of any of the units.

When a multiple family unit surrounds single family homes, a solid fence is required around the property of the multiple units. There was a discussion on what is the definition of a solid fence? A solid fence can be vinyl, masonry or wood. Chain link with vinyl or wood slats are also acceptable.

Mike Holmes made a motion for preliminary and final site plan approval for a 4-plex at 270 E. Center subject to items #1-2 with the addition of #3. Item #3 is to provide a 6-foot solid fence along the west and south side of the property. Don Milligan seconded the motion and voting was unanimous.

Meeting adjourned at 8:13 P.M.